

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

BRIAN J. STRETCH (CABN 163973)  
Chief, Criminal Division

WENDY THOMAS (NYBN 4315420)  
Special Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, CA 94102  
Telephone: (415) 436-6809  
Facsimile: (415) 436-7234

NOAH ABRAMS  
Law Clerk

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
NICOLE LEA MAYS, )  
 )  
Defendant. )  
 )  
 )  
 )  
 )  
 )

No. CR 07-0295 MAG

UNITED STATES' PROPOSED  
ADDITIONAL JURY INSTRUCTIONS

In addition to the agreed upon jury instructions, the United States of America respectfully requests the Court provide Jury Instruction 3.18 from the Manual of Model Criminal Jury Instructions for the District Courts of the Ninth Circuit (2000 edition). Jury Instruction 3.18

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United States' Additional Jury Instructions  
CR 07-0295 MAG

1 gives the definition of possession. The United States believes that this instruction is necessary as  
2 possession in an element of the charged crimes.

3 DATED:

4 Respectfully submitted,

5  
6 JOSEPH P. RUSSONIELLO  
7 United States Attorney

8 /s/  
9 WENDY THOMAS  
10 Special Assistant United States Attorney  
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**3.18 POSSESSION - DEFINED**

(Ninth Circuit Model Instruction - Approved 2000)

A person has possession of something if the person knows of its presence and has physical control of it, or knows of its presence and has the power and intention to control it.

[More than one person can be in possession of something if each knows of its presence and has the power and intention to control it.]